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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant : | Billy W. Colston et al | Docket No. : | IL-10715 |
| Serial No. : | 09/880,515 | Art Unit : | 1641 |
| Filed : | June 12, 2001 | Examiner | M.C. Tran |
| For : | Portable Pathogen Detection System | | |

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that the *attached* correspondence comprising:

1. Response To Restriction Requirement (2 pages)
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed May 15, 2002, kindly consider the following:

Restriction Requirement

A restriction requirement has been made between Claims 10-12 (Group I), Claims 13-28 (Group II), Claims 1-9 (Group III), and Claims 29-35 (Group IV).

Applicants elect with traverse the Group III, Claims 1-9. It is submitted that the restriction requirement between Claims 1-9 and Claims 29-35 is improper. The mere fact that the claims of Group IV (29-35) do not set forth the same operational steps as Group III (Claims 1-9) does not establish that they constitute separate methods, but establish claims of different scope, not different methods as contended by the Examiner. Similarly, it is submitted that the claims of Group II should not be separated from the claims of Group I. To search the invention of Group III, one would need to search the field of art of the claims of Group IV. Thus, there appears to be no bases for the restriction between the claims of Group III and those of Group IV. Accordingly, the requirement for restriction should be modified to set forth two Groups (Claims 10-28) and (1-9 and 29-35), and examination is believed to be proper for Claims 1-9 and 29-35, and is so requested.

Respectfully submitted,

Dated: 5-28-02



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